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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/127,112	07/31/1998	BRIAN I MARCUS	005	9729

28554 7590 02/08/2006

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EXAMINER

HARRIS, CHANDA L

ART UNIT PAPER NUMBER

3715

DATE MAILED: 02/08/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/127,112	Applicant(s) MARCUS ET AL.	
	Examiner Chanda L. Harris	Art Unit 3715	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 January 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 84,86-88,93 and 95-97 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 84,86-88,93 and 95-97 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>12/27/05</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Status of Claims

In response to the Amendment filed on 1/20/06, Claims 84, 86-88, 93, and 95-97 are pending.

Specification

The disclosure is objected to because of the following informalities: Page 2, line 3- "metal" should be -- mental --.

Appropriate correction is required.

Claim Objections

Claims 86 and 93 are objected to because of the following informalities: Line 2-"audio output device" should be -- an audio output device --. Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States

only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 84, 86-88, 93, and 95-97 are rejected under 35 U.S.C. 102(e) as being anticipated by Yasuhara et al. (US 5,670,992).

1. [Claims 84,93]: Regarding Claims 84 and 93, Yasuhara discloses a first electronic display screen displaying a visual graphic environment for the user. See FIG.1, element 2. Yasuhara discloses the graphical environment presenting the user with one or more visual prompts (e.g., demonstration display), said prompts assisting to prompt the user to cognitively react by manipulating one or more graspable objects (i.e., attachment or accessory pen). See Col.3: 28-30 and Col.10: 28-52. Yasuhara discloses a support structure, said support having a work space (i.e., tablet) including a contact-sensitive second electronic display screen, said contact-sensitive electronic display screen being separate from the first electronic display screen and capable of receiving input from the user through the detection of the location (i.e., coordinates) of one or more graspable objects manipulated laterally across the work space and the path of one or more graspable objects placed on the work space, said support structure also having a button (e.g., a power switch 6, a clear button 7, button 8A, button 8B) not associated with a keyboard or numeric keypad with which the user can make entries into the system. See FIG.1, element 1. Yasuhara discloses one or more detectors (i.e., detecting circuit) associated with the contact-sensitive nature of the work space, the detectors being capable of generating information corresponding to the location of the one or more graspable objects placed on the work space and the path of the one or more graspable objects manipulated laterally across the work space by detecting a

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mechanical downward force generated by the user's placement or manipulation of the one or more graspable objects on the work space. See Col.2: 23-38 and Col.3: 28-42. Yasuhara discloses a processor (i.e., video image data forming circuit) capable of generating graphical images on at least one of the first and second display screens, recognizing action of the button by the user, receiving information corresponding to the location of the one or more graspable objects placed on the work space and the path of the one or more graspable objects manipulated laterally across the work space and generating feedback (e.g., video image data) to the user. See Col.2: 23-39 and Col.3: 28-42.

2. [Claims 86,95]: Regarding Claims 86 and 95, Yasuhara discloses an audio output device (i.e., graphic computer) capable of providing one or more audio prompts (i.e., sounds) assisting to prompt the user to cognitively react by manipulating one or more graspable objects. See Col.11: 21-30.

3. [Claims 87,96]: Regarding Claims 87 and 96, Yasuhara discloses wherein the audio output device is further capable of providing audio feedback to the user depending on the location of one or more graspable objects placed or manipulated on the work space. See Col.11: 21-30.

4. [Claims 88,97]: Regarding Claims 88 and 97, Yasuhara discloses the system further comprising a loadable memory (e.g., IC card). See Col.10: 56-62.

Response to Amendments

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chanda L. Harris whose telephone number is 571-272-4448. The examiner can normally be reached on M-F 6:30am-4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Monica S. Carter can be reached on 571-272-4475. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Chanda L. Harris
Chanda L. Harris
Primary Examiner
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